

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, December 18, 2012

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Evert, Ingersoll, Waller and Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Evert, seconded by Waller, and unanimously carried, the agenda was approved as presented.

RENEWAL OF CIRCLE OF NATIONS SCHOOL CONTRACT WITH WEST CENTRAL REGIONAL JUVENILE CENTER FOR RESIDENTIAL PROGRAMMING AND SERVICES

By consent agenda, the Board authorized execution of the contract between Circle of Nations School, Wahpeton, ND, and the West Central Regional Juvenile Center for residential programming and services for 2013.

APPROVAL OF PURCHASE OF SERVICE AGREEMENT WITH WILKIN COUNTY FAMILY SERVICE AGENCY FOR DETOX SERVICES

By consent agenda, the Board authorized execution of a renewal contract for Wilkin County's purchase of detoxification services from the Clay County Receiving Center for 2013.

APPROVAL OF 2013 HOME & COMMUNITY BASED WAIVER CONTRACTS

By consent agenda, the Board approved Home & Community Based waiver contracts for Mariya Home Care and North Star Nursing for 2013.

AUTHORIZE OFFICE SPACE LEASE RENEWAL IN FAMILY SERVICE CENTER FOR MN PUBLIC DEFENDER'S OFFICE

By consent agenda, the Board approved renewal of the MN Public Defender's office space lease in the Family Service Center for the period 1/1/13 to 12/31/13, 1723 sq.ft. for \$11.75 sq.ft.

APPROVAL OF PUBLIC HEALTH DEPARTMENT CONTRACTS AND GRANTS FOR 2013

By consent agenda, the Board approved the list of contracts and grants that Public Health has with federal, state and local agencies for 2013, as included in Attachment "A".

APPROVAL OF BLUE CROSS BLUE SHIELD (ACTIVE LIVING GRANT)
CONTRACT EXTENSION

By consent agenda, the Board approved renewal of the Blue Cross Blue Shield Active Living Grant, which promotes active living, policy development, programs and planning for physical projects, for the period January 1, 2013 – July 31, 2013.

CITIZENS TO BE HEARD

There were no citizens who wished to address the Board.

APPROVAL OF MINUTES OF DECEMBER 6 & 11, 2012

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board approved the minutes of the December 6 and 11, 2012 meetings as presented.

COUNTY ASSESSOR'S UPDATE

County Assessor Nancy Gunderson updated the Board regarding activities in the Assessor's Office since she was appointed Assessor in July. She noted that the market is increasing for Ag tillable land and assessment values will increase as well.

ADOPT 2013 CLAY COUNTY BUDGET & TAX LEVY

County Administrator Brian C. Berg presented the final 2013 budget and tax levy for the Board's review. Per the Board's direction, Mr. Berg noted that adjustments have been made to appropriate additional funds for weed control.

On motion by Evert, seconded by Waller, and unanimously carried, the following resolution was adopted, approving the 2013 tax levy and budget (See Attachment "B").

RESOLUTION 2012-50

WHEREAS, the Clay County Board of Commissioners did hold a public meeting on December 11, 2012; and

WHEREAS, the Clay County Board of Commissioners has addressed the concerns of its citizens to the best of their ability; and

BE IT RESOLVED, that the Clay County Board of Commissioners hereby certifies the following levy for taxes to be collected in 2013:

Revenue Fund	\$13,560,066
Road & Bridge Fund	3,015,261
Building Improvements	45,448
Library	220,222
Social Services	6,765,656
Debt Retirement	154,317
Debt Retirement – RB	177,056
Debt Retirement – Courthouse	325,159
Debt Retirement – County Projects	31,361
TOTAL	\$24,294,546

BE IT FURTHER RESOLVED, That the Clay County Board of Commissioners hereby adopts the 2013 budget as presented.

APPROVAL OF 2013 ELECTED OFFICIALS COMPENSATION & EXPENSE
REIMBURSEMENT RATES

Human Resources Director Darren Brooke presented the listing of proposed salaries for elected officials for 2013, noting that a 2% cost of living adjustment has been approved for 2013, and the Auditor/Treasurer, Recorder and Sheriff receive step adjustments.

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board adopted the following resolution, setting the 2013 salaries of elected officials, and determined that meal reimbursement rates will stay the same for 2013 as for 2012 (\$8/breakfast; \$12/lunch; and \$17/dinner, with no receipt required; mileage reimbursement rates will conform with Personnel Policy Section 15 (mileage reimbursement rate for use of personal vehicle when a fleet vehicle is available is 40 cents per mile. All other use of personal vehicle for business travel is reimbursed at the current IRS mileage rate (56.5¢/mile beginning 1-1-13):

RESOLUTION 2012-51

BE IT HEREBY RESOLVED, that the 2013 annual salaries for Clay County elected officials are as follows:

County Attorney - \$114,304.38 (Step G of the Salary Grid)
County Auditor/Treasurer - \$107,111.18 (Step H of the Salary Grid)
County Recorder - \$76,820.71 (Step L of the Salary Grid)
County Sheriff - \$104,517.12 (Step I of the Salary Grid)
Commissioners - \$26,739.59
Commissioner - \$26,242.87 (Commissioner Campbell only)

Commissioner Evert reiterated his concern that all Commissioners be paid the same. Commissioner Campbell commented that his decision to not take an increase several years ago was based on principle, and that principle still holds.

On motion by Campbell, seconded by Evert, and unanimously carried, the Board renewed the Furlough Program for 2013, the same as it was for 2012.

REQUEST APPROVAL TO FILL SOCIAL WORKER POSITION DUE TO RETIREMENT

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board approved advertisement to fill a Social Worker position which will be vacant February 1, 2013, and if the position is filled internally, to fill the vacated position.

**PROPOSAL TO REQUEST THE SALE OF GENERAL OBLIGATION STATE AID BONDS
FOR ROAD CONSTRUCTION**

County Engineer David Overbo updated the Board with regard to the Highway Tracking Committee's recommendation to sell \$10,920,000 in General Obligation State-Aid Road Bonds for a six-year term. These funds are proposed to be used in 2013, 2014, and 2015 to complete projects on the Five Year Construction Plan, as follows:

2013

Asphalt Overlay on Highway 17, I-94 to TH 10
Asphalt Mill & Overlay on Highway 2, CSAH 21 to 1 mile East of CSAH 11
10 Ton Overlay/Subgrade work on Highway 31, CSAH 10 to CSAH 12
Intersection Improvements on 31/33, Hawley and MN TH 10
Bridge Replacement on Highway 2, ¾ mile East of CR 69
Bridge Replacement on Highway 17, at the Intersection of CR 69
Bridge Replacement on Highway 19, at the Intersection of CSAH 26

Finish paving, seeding, etc., on Hwy 19, at the N limit of Glyndon to CSAH 10

2014

Grading on Highway 18, TH 75 to 1 mile East of CSAH 11
Asphalt Mill and Overlay on Highway 3, Center Avenue to CSAH 18
Grading (excluding RR bridge) on Highway 52, CR 55 to TH 9

2015

10 Ton Concrete paving on Highway 18, TH 75 to 1 mile East of CSAH 11
Subgrade repair and Concrete paving on Highway 18, CSAH 3 to TH 75
Concrete paving and overlay on Highway 52, TH 9 to CSAH 21

With the current favorable interest rates, efficiency of bidding large projects together, and overcoming inflationary increases, a savings of \$1.9 million is estimated. The Board was supportive of this bonding method to eliminate State Aid advancements and accomplish necessary projects. Bond payments would be completed by the year 2019. In the years 2016-2019, when the construction phase is complete, staff would be designing the next set of projects and updating the Five Year Construction Plan.

Ms. Carolyn Drude, Financial Advisor with Ehlers & Associates, reviewed the Pre-Sale Report for the bond sale, indicating that the true interest rate at the current time is 1.254%. Competitive bids will be solicited from local banks and regional underwriters for a proposed sale on February 12, 2013. Funds will be available March 7, 2013.

On motion by Evert, seconded by Waller, and unanimously carried, the Board adopted the following Resolution providing for the sale of \$10,920,000 General Obligation State-Aid Road Bonds, Series 2013A:

RESOLUTION 2012-54

WHEREAS, the County Board of the County of Clay, Minnesota, has heretofore determined that it is necessary and expedient to issue the County's \$10,920,000 General Obligation State-Aid Road Bonds, Series 2013A (the "Bonds"), to finance construction of state-aid road improvements in anticipation of receipt of state-aid allotments in the County; and

WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Clay, Minnesota, as follows:

1. **Authorization; Findings.** The County Board hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. **Meeting; Proposal Opening.** The County Board shall meet at 11:30 a.m. on February 12, 2013 for the purpose of considering proposals for and awarding the sale of the Bonds.
3. **Official Statement.** In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

2013-2017 DEFICIENT BRIDGE PRIORITIZATION RESOLUTIONS

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the following resolution was adopted, amending the County Bridge Prioritization Replacement List:

Resolution 2012-52
Amending County Bridge Prioritization Replacement List

WHEREAS, Clay County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal supplied by local citizenry and local units of governments; and

WHEREAS, Clay County has identified those bridges that are high priority and has previously established a list of those that require replacement, rehabilitation, or removal; and

WHEREAS, the following additional bridges have since been identified as also requiring replacement, rehabilitation or removal;

NOW, THEREFORE, BE IT RESOLVED, that the following deficient bridges are added to the list of high priority bridges and Clay County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available:

Bridge Number	Road Number	Estimated Project Cost	Federal Funds	Local Funds	Bond Funds Needed	Proposed Construction Year
90815	Co. Rd. 103	80,000		10,000	70,000	2013
4785	CSAH 2	150,000			150,000	2013
2411	Co. Rd. 94	800,000		75,000	725,000	2013
90846	Co. Rd. 73	80,000		10,000	70,000	2013
2783	CSAH 19	150,000			150,000	2013
90867	CSAH 17	150,000			150,000	2013
90870	Co. Rd. 117	100,000		10,000	90,000	2014
90910	Co. Rd. 56	80,000		10,000	70,000	2014
90869	CSAH 17	150,000			150,000	2015
L-8355	CSAH 12	150,000			150,000	2015
90865	CSAH 10	150,000			150,000	2015
1078	CSAH 1	100,000			100,000	2015
90853	Co. Rd. 67	100,000		10,000	90,000	2016
90836	Co. Rd. 68	80,000		10,000	70,000	2016
5127	CSAH 52 RR	1,800,000	622,500	50,000	1,127,500	2017
No #	Co. Rd. 98	40,000			40,000	2017
No #	Co. Rd. 98	40,000			40,000	2017
90916	CSAH 37	80,000		5,000	75,000	2017
92445	Co. Rd. 68	750,000		50,000	700,000	2017

FURTHERMORE, Clay County does hereby request authorization to replace, rehabilitate, or remove such bridges.

On motion by Campbell, seconded by Waller, and unanimously carried, the following resolution was adopted, amending the Township Bridge Prioritization Replacement List:

RESOLUTION 2012-53
Amending Township Bridge Prioritization Replacement List

WHEREAS, Clay County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal supplied by local citizenry and local units of governments; and

WHEREAS, Clay County has identified those bridges that are high priority and has previously established a list of those that require replacement, rehabilitation, or removal; and

WHEREAS, the following additional bridges have since been identified as also requiring replacement, rehabilitation or removal;

NOW, THEREFORE, BE IT RESOLVED, that the following deficient bridges are added to the list of high priority bridges and Clay County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available:

Bridge Number	Road	County Bridge Number	Estimated Project Cost	Federal Funds	Local Funds	Town Bridge Funds	Construction Year
L-8297	T-229	EL-20N	750,000		10,000	740,000	2013
14542	T-48	VI-3W	80,000		5,000	75,000	2013
L-9035	T-155	FE-5W	80,000		5,000	75,000	2013
L-8245	T-338	GT-25W	80,000		5,000	75,000	2013
L-8325	T-70	EK-27N	25,000			25,000	2014-Eliminate
L-8314	T-260	HC-28W	10,000			10,000	2014-Eliminate
L-8236	T-135	GT-28W	80,000		5,000	75,000	2014
L-8294	T-155	FE-28WC	75,000		5,000	70,000	2015
L-8334	T-310	EK-33W	150,000		8,000	142,000	2015
4644	T-25	BA-25W	100,000		5,000	95,000	2015
L-8348	T-240	EL-35N	200,000		5,000	195,000	2016-Eliminate
L-8296	T-215	EL-16W	25,000			25,000	2016-Eliminate
3863	T-29	EA-12S	140,000		5,000	135,000	2016
L-9845	T-26	MK-22NA	100,000		10,000	90,000	2016
L-9597	T-141	MK-17WA	175,000		10,000	165,000	2016
4916	T-54	HA-24W	70,000			70,000	2017-Eliminate
L-8275	T-76	KN-15N	25,000			25,000	2017-Eliminate
L-8228	T-131	GL-16N	500,000		10,000	490,000	2017
1850	T-183	UL-20W	25,000			25,000	2017-Eliminate
96964	T-73	GP-12NB	100,000		10,000	90,000	2017

FURTHERMORE, Clay County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Clay County does hereby request financial assistance with eligible approach grading and engineering costs on Township bridges, as provided by law.

APPROVAL OF FINAL DOCUMENTS FOR BITUMINOUS PAVING PROJECTS

On motion by Waller, seconded by Evert, and unanimously carried, the Board approved final contracts documents with Central Specialties for the CP 14-611-03 project: the original bid was \$156,077.96, and the final was \$159,225.85; and the CP 14-618-01 project: the original bid was \$38,464.64 and the final was \$47,312.51. Minor overruns were due to additional bituminous that was required.

APPROVAL OF RIGHT OF WAY VALUES FOR SAP 14-598-09 **COUNTY ROAD 94 BRIDGE REPLACEMENT**

County Engineer David Overbo requested approval of the right of way values for the SAP 14-598-09 County Road 94 grading & paving project, as compared to recent appraisals prepared by Tinjum & Associates:

Rural Residential: \$12,000/acre
Tillable Property: \$ 5,000/acre

Non-Tillabe: \$ 2,500/acre
Converting easement to fee: \$150/parcel

Four parcels are being acquired, for a total value of \$5,722.50.

On motion by Campbell, seconded by Evert, and unanimously carried, the above mentioned right of values were approved contingent upon confirmation from Tinjum & Associates as to their accuracy.

SHERIFF'S DEPARTMENT 2013 VEHICLE REPLACEMENT PROPOSAL

Deputy Sheriff Lt. Bryan Green described a proposal to replace six Sheriff's department vehicles in 2013, using Internal Service Funds which have accumulated for the vehicles to be replaced (\$195,544) and 2012 Auction proceeds (\$80,702). The expenditure for the new vehicles will be approximately \$157,888, leaving the excess \$118,358 in the Internal Service Fund.

On motion by Campbell, seconded by Evert, and unanimously carried, the Board approved the Sheriff's 2013 vehicle replacement proposal as described by Lt. Green.

UPDATE RE: 2009, 2010, 2011 FLOOD DISASTERS

Emergency Services Manager Lt. Bryan Green updated the Board with respect to the recent flood disaster revenue. He noted that in 2009, flood expenses totaled \$2,418,963 reimbursed by FEMA. Flood expenses in 2010 totaled \$486,889. 2009 and 2010 flood disasters have now been closed out by FEMA. In 2011, \$621,789 in flood expenses were incurred with \$457,924 reimbursed to date.

REQUEST SALARY PLACEMENT FOR DETOX DIRECTOR CANDIDATE

Public Health Administrator Kathy McKay requested the Board's approval to place a candidate for the Detox Director position on Grade 22, Step 6 (\$32.03/hr for 2013), based on previous years' experience.

On motion by Ingersoll, seconded by Evert, and unanimously carried, the Board approved placement of the Detox Director candidate on Grade 22, Step 6, as mentioned above, based on previous years' experience.

APPROVAL OF BILLS AND VOUCHERS

On motion by Waller, seconded by Campbell, and unanimously carried, the Board approved payment of bills and vouchers.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Ingersoll attended the Metropolitan Council of Governments meeting. Commissioner Campbell attended meetings of the Moorhead Wellhead Protection Committee, FM Flood Diversion, Highway Tracking Committee, the AMC Conference, and the MCIT Annual meeting.

Commissioner Waller attended the Highway Tracking Committee meeting.

Commissioner Evert attended a meeting regarding the Highway 31/33 project in Hawley, a retreat for the Homeless to Housing committee, a meeting regarding regional recycling, an Historical Society meeting, meeting of the Diversion Land Management

Committee, a Citizens Forum for the Environmental Quality Board, and the Lakeland Mental Health meeting.

On motion by Evert, seconded by Ingersoll, and unanimously carried, the Board agreed to send a letter of support for Grant County Commissioner Todd Schneeberger's appointment to the MCIT Board of Directors.

Commissioner Weyland attended meetings of the Area Agency on Aging and Heartland Trail.

On motion by Campbell, seconded by Waller, and unanimously carried, the Board authorized the Chair to sign a letter to Governor Dayton in support of completion of the Heartland Trail segment from Detroit Lakes to Frazee.

County Administrator Brian Berg attended meetings concerning bonding for Highway projects, security in the County buildings, Capital projects update, and personnel issues.

DISCUSSION RE: ATTENDANCE AT TRANSPORTATION DAY AT THE CAPITOL

Commissioner Evert expressed his interest in attending the Transportation Day at the Capitol event to be held February 7, 2013.

ADJOURN

The meeting adjourned at 10:25 a.m.

Grant Weyland, Chair
Clay County Board of Commissioners

Brian C. Berg, County Administrator